

**IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS---EASTERN DIVISION
UNITED STATES OF AMERICA**

VS

08 CR 888

Honorable: James B. Zagel

ROD BLAGOJEVICH

MOTION TO DISMISS "HONEST SERVICES" COUNTS

Here comes Rod Blagojevich, defendant, by his attorneys, and moves the court to dismiss Rico Act Nos. 2, 3, 4, 5, and 6, and Counts 2 through 20 of the indictment. In support of the instant motion defendant states as follows:

1. The above-listed counts in the instant indictment are predicated upon violations of 18 U.S.C. Section 1346.

2. 18 U.S.C. Section 1346 is vague, indefinite and uncertain and does not permit the defendant to be informed of the nature and cause of the accusation in violation of the Sixth Amendment, and denies to the defendant due process of law as guaranteed by the 5th Amendment.

/s/ Sam Adam

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